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APR. 13, 1966

STATE OF CALIFORNIA

EDMUND G. BROWN, Governor



SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

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Executive Director

April 13, 1966

Mr. T. Louis Chess, President, Association of Bay Area Governments
and Chairman, Bay Area Air Pollution Control District
Mr. Adrien Falk, Chairman, Bay Area Rapid Transit District
Mr. Nils Eklund, Chairman, Bay Area Transportation Study Commission
Mr. Grant Burton, Chairman, Bay Regional Water Quality Control Board

INSTITUTE OF GOVERNMENTAL STUDIES LIBRARY Re: Governing the Bay Area -- A Program for Action

MAR 12 1970 Gentlemen:

I am writing this letter to propose that our six agencies, with the cooperation of other groups mentioned herein, join in a program of action to determine how best to provide for the future governmental needs of the San Francisco Bay Area.

I am sending copies of this letter to the Bay Area Council, the Leagues of Women Voters of the Bay Area, and the San Francisco Planning and Urban Renewal Association (SPUR). These three groups have already indicated a strong interest in the Bay Area's governmental problems; other groups will undoubtedly express a similar interest, and they should also be invited to take part in this work.

Never before have regional problems received so much attention in the Bay Area. Two commissions -- the Bay Area Transportation Study Commission and the Bay Conservation and Development Commission -- have been directed by the Legislature to make recommendations as to the governmental means of carrying out plans for transportation and for the Bay. Senator "J" Eugene McAteer of San Francisco has proposed that existing regional agencies "undertake a joint study of the governmental needs of the Bay Area and make explicit recommendations to the Legislature and to the citizens of the Bay Area." Mayor John F. Shelley of San Francisco has proposed that a regional government be created with clearly-defined powers and with an elected legislative body; the San Francisco Board of Supervisors has supported this proposal.

Metropolitan government is already here -- in the form of our agencies and others that serve sizable parts of the Bay Area. The question is no longer whether there should be regional government in the Bay Area; the fact that several regional agencies exist has already answered that question. The real problem we face is this: what form should regional government take in the future?

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introduction to both the educational, judicial, and medical fields. The
introduction of the new law has caused the
judicial system to feel uncertain about its responsibilities, and it is
now required to make sure that the new law is carried out in all
court decisions. The new law has been received with mixed feelings, and
political parties are split over its impact.

Political party A -- which was established in 1990 --

is a right-wing, conservative party that supports traditional values. It
is aiming to strengthen national unity and reduce tensions between ethnic groups by
reducing the influence of foreign powers and supporting local
businesses.

Political party B -- which was established in 1995 -- is a left-wing party that
supports environmental policies and has been active in the fight against climate
change. The party has also pushed for greater equality and
diversity in the workforce, with the government taking a more progressive
approach to issues such as gender equality and disability rights.

The introduction of the new law has caused tension between the two
parties, with party A arguing that the new law is a violation of civil
rights and party B arguing that it is a necessary measure to combat
discrimination. Both parties have called for a review of the new law
and its impact on society, and have called for a moratorium on its implementation
until further notice. The new law has also caused concern among
members of the business community, who fear that it will
harm their operations and hurt their bottom line.

The new law has also had a significant impact on the education system, with
many schools and universities across the country facing financial
problems due to the new regulations. The new law has
also caused concern among parents and teachers, who fear that it will
harm the educational experience of students and limit their
ability to learn effectively.

The existing regional agencies, together with the Association of Bay Area Governments as a voluntary association of local governments, have served the people of the Bay Area well over the past several years. But the question remains as to whether this system of fragmented responsibility will be adequate in the coming years of intensive population growth in the Bay Area.

Certainly we must all be concerned about the extent to which Federal and State governments are involved in making decisions that affect the Bay Area. Federal and State governments will make more and more regional decisions if we who live in the Bay Area do not ourselves decide on the governmental machinery we want. Those of us who now serve on regional agencies are particularly well-qualified, because of our experience and our interest, to undertake the task of trying to arrive at answers to these regional questions.

Our analysis may conclude that the existing governmental machinery is adequate to meet the needs of the Bay Area, both now and in the future. I am well aware that governmental proposals created on paper may well have an appeal that would disappear under actual practice. Existing governments may suffer unduly by comparison to theoretical forms of government. Certainly we should insist that any new governmental machinery show promise of greater benefits to the people of the Bay Area than the existing machinery before we make a change.

To evaluate the various governmental possibilities will require careful studies both of our present governmental machinery and of alternatives to it. I am thoroughly aware that dozens of studies have already been made of many aspects of local and regional government. But isn't it equally true that the most successful solutions to complex problems generally begin with an effort to gather and analyze facts and opinions?

Objectives. I propose therefore that:

First, we should analyze the governmental needs of the Bay Area, collecting and evaluating information so that we can determine:

- a. The present and future needs for governmental services in the Bay Area.
- b. Whether we in the Bay Area should continue our present system of assigning regional responsibilities to separate, single-purpose agencies; i.e., to a special district for rapid transit, to a State-created board to control water quality in the Bay, to a special district to control air pollution, and to special State-created commissions to plan for the future transportation network in the Bay Area and for the future of the Bay.
- c. Alternatives to our present system, including modifications in existing regional agencies.
- d. The advantages and disadvantages of different kinds of governmental machinery to solve regional problems, compared to each other and to our present system.

(I am attaching an outline of a proposed "Analysis of Governmental Needs in the Bay Area," which spells out more fully some of the questions that I believe need to be answered.)

Second, we should provide for publication of the findings of our studies, and the widest possible public debate on them.

Third, we should find the maximum possible agreement among existing governmental agencies on future courses of action.

Fourth, we should see that our decisions and recommendations are implemented.

Program.

The program I am proposing should be completed in 12 to 18 months. The work is estimated to cost about \$150,000, and two-thirds of this amount should be sought from Federal planning funds available under Section 701 of the U. S. Housing Act. Citizens' groups such as the Bay Area Council, the Leagues of Women Voters of the Bay Area, and SPUR should be closely involved in the study, as should other governmental agencies that serve more than one county but not the entire Bay Area; these latter groups would include the AC Transit District, the San Francisco Water Department, etc.

As the next step in this program, it is important that the agencies wishing to participate should so indicate as quickly as possible. A meeting of representatives of participating agencies should then be held at once.

I believe the BCDC must do substantially the things I have outlined in this letter even if we must do them alone. I believe, however, that a program of this sort can best be carried out by our agencies jointly, and therefore I hope your response to this proposal will be favorable. Because of the urgency of meeting deadlines imposed on our Commission by the Legislature, I would hope for your response as quickly as possible. I would be happy to meet with you further to discuss this program more fully if you wish.

Sincerely,

Melvin B. Lane

MELVIN B. LANE
Chairman

enclosure

cc: Joseph Bodovitz
Jud Callaghan
John Harrison
Warren Schmid
Bill Stokes
Richard Zettel

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
507 Polk Street, San Francisco 94102 557-3686

Attachment to letter of April 13, 1966, to:

Mr. T. Louis Chess, President, Association of Bay Area Governments
and Chairman, Bay Area Air Pollution Control District
Mr. Adrien Falk, Chairman, Bay Area Rapid Transit District
Mr. Nils Eklund, Chairman, Bay Area Transportation Study Commission
Mr. Grant Burton, Chairman, Bay Regional Water Quality Control Board

An Analysis of Governmental Needs in the Bay Area

The following outline is intended as a suggestion as to how the first phase of a joint governmental program for action might proceed. This first phase would involve the gathering and analysis of information. Undoubtedly other regional agencies will have additional requirements for information to be obtained and analyzed.

I. How are regional decisions in the Bay Area being made now?

- A. Effectiveness of coordination of policies among existing governmental agencies, local and regional
- B. Present and future influence of Federal government on decisions regarding development of the Bay Area
- C. Present and future influence of the State government on decisions regarding development of the Bay Area
- D. Advantages and disadvantages (costs and benefits) of present process of regional decision-making, relative to other possible processes.

II. Alternatives to the present system of regional decision-making

- A. Creation of additional special-purpose districts, such as the Bay Area Rapid Transit District, and Bay Area Air Pollution Control District
- B. Creation of a new multi-purpose district to administer the functions of some or all existing regional governmental agencies (and possibly additional functions)
 - 1. Difficulties in merging existing regional agencies into multi-purpose district--e.g., differing boundaries of such agencies as Bay Area Rapid Transit District (3 counties) and Bay Area Air Pollution Control District (6 counties at present)
 - 2. If complete merger is impossible, should the same persons be selected as directors of two or more regional agencies to insure coordination?
 - 3. If merger is not workable, should a new governmental agency be created, with control of one or more regional functions, such

as transportation or Bay conservation and development, and with a sufficiently adaptable structure to be able to assume new regional functions if and when the Legislature or the people of the Bay Area so decide?

C. Association of Bay Area Governments with different and greater responsibilities

III. Which of the following areas of governmental concern should be under State jurisdiction, which under regional jurisdiction, and which under local jurisdiction?

A. Transportation within the Bay Area--highways, bridges, etc.

B. Transportation to other areas--ports and airports

C. Police and fire protection

D. Sewage disposal

E. Disposal of garbage and other solid wastes

F. Air pollution control

G. Water pollution control

H. Open space, parks, and recreation

I. Bay conservation and development

J. Area-wide planning and land use controls such as zoning, to guide urban expansion

K. Housing

L. Other

IV. What powers are needed to solve each of the governmental problems determined to be of regional concern? This question would need to be answered for each of the regional functions.

A. For example, to answer questions the BCDC must answer in any event, because of its mandate from the Legislature to do so, the following information is needed:

1. How can governmental powers best be used to conserve the waters of San Francisco Bay and to guide development of its shoreline?

a. To what extent can conservation and development controls be exercised under the police power, i.e., under a system of zoning or a permit system such as that now employed by BCDC?

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- b. What governmental powers are needed to carry out the BCDC plan for the Bay and shoreline?
 - c. How should "shoreline" be defined?
- V. If a governmental agency were to be created with responsibility in more than one area of regional concern--such as air and water pollution, control over Bay filling, transportation, etc.--what structure should such an agency have?
- A. How should the legislative body be selected?
 - 1. Through appointments made by various governmental bodies, as is presently the system for choosing directors of the Bay Area Rapid Transit District and the Bay Area Air Pollution Control District?
 - 2. Through direct election, as is presently the system for choosing directors of the East Bay Municipal Utility District and the East Bay Regional Park District?
 - a. If so, how should electoral districts be established?
 - B. How should the chief executive of the regional agency be selected?
 - a. Through direct election?
 - b. Through appointment by the legislative body?
- VI. How should a governmental agency with regional responsibilities be financed?
- A. Should the agency have power to tax property and to sell bonds?
 - B. Should the agency receive funds from Federal and State governments?

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